



Entered on Docket
December 10, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.

Nevada Bar No. 004417

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Las Vegas, Nevada 89107

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HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation Mortgage Pass
Through Certificates Series 2005-AR5
09-72841

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

Rocael Najera-Monroy and Elsa Gonzalez De
Najera

Debtors.

BK-S-09-16838-lbr

MS Motion No. 63

Date: December 8, 2010

Time: 10:30 a.m.

Chapter 13

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing
in the above-entitled Court, all appearances as noted on court record, and based upon all the
papers and pleadings on file herein and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtors will cure the post-petition arrearages currently due as follows:

2 Monthly Payments at \$1,270.71 (September 1, 2010 - November 1, 2010)	\$2,541.42
2 Late Charges at \$45.11 (September 1, 2010 - November 1, 2010)	\$90.22
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$650.00
Suspense Amount	(\$108.66)
Total	\$3,322.98

The total arrearage shall be paid in six monthly installments. Payments one through five (1-5) in the amount of \$553.83 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the December 20, 2010 payment and continuing throughout and concluding on or before April 20, 2011. The sixth final payment in the amount of \$553.83 shall be paid on or before May 20, 2011.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least fourteen business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtors shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the December 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 1335 Clagett Ln. , Las Vegas, NV 89110, and legally described as follows:

Lot Twenty-Eight (28) in Block Three (3) of SHEAKER HEIGHTS UNIT 6, as shown by Map thereof on file in Book 36 of Plats, page 32, in the office of the County Recorder of Clark County, Nevada.


IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may

1 thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable
2 State Law, and take any action necessary to obtain complete possession thereof.

3
4 Submitted by:

5 WILDE & ASSOCIATES


6
7 By


8 **GREGORY L. WILDE, ESQ.**
9 Attorneys for Secured Creditor
212 South Jones Boulevard
Las Vegas, Nevada 89107

10 APPROVED AS TO FORM & CONTENT:

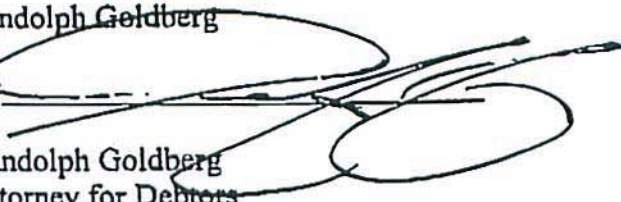
11 Kathleen A Leavitt

12 By


13 Kathleen A Leavitt
14 Chapter 13 Trustee
15 201 Las Vegas Blvd., So. #200
Las Vegas, NV 89101

Randolph Goldberg

By


Randolph Goldberg
Attorney for Debtors
4000 S. Eastern Ave., #200
Las Vegas, NV 89119

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17 Nevada Bar No. 10972
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1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately
3 reflects the court's ruling and that (check one):

4 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

5 ☐ No party appeared at the hearing or filed an objection to the motion.

6 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10 ☒ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☐ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☒ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☐ failed to respond to the document

17 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the
18 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the
19 order.

20 I declare under penalty and perjury that the foregoing is true and correct.

21 Submitted by:

22 /s/ Gregory L. Wilde, Esq.

23 Gregory L. Wilde, Esq.

24 Attorney for Secured Creditor

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